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16
                            UNITED STATES DISTRICT COURT
17
                         NORTHERN DISTRICT OF CALIFORNIA
18
19
    PENELOPE HOUSTON, an individual, GREG
                                              ) Case No. C10-01881 JSW
    INGRAHAM, an individual, JAMES
20
    WILSEY, an individual, and DANIEL
                                                 STIPULATION AND [PROPOSED]
    O'BRIEN, an individual,
                                                 ORDER RE: EXTENSION OF TIME
21
                                                 TO FILE RESPONSE TO SECOND
22
                 Plaintiffs,
                                                 AMENDED COMPLAINT
23
                                                 Hon. Jeffrey S. White, Presiding
          v.
24
    DAVID FERGUSON, an individual dba CD
                                                 (E-Filing)
    PRESENTS, BURIED TREASURE MUSIC
25
    and ANARCHY ANTHEMS; BURIED
26
    TREASURE MUSIC, BURIED TREASURE
    INC., a Corporation of unknown jurisdiction;
27
    INDEPENDENT ONLINE DISTRIBUTION
    ALLIANCE, INC., a California Corporation;
28
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Defendants.  Defendants.  Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiffs PENELOPE HOUSTON, an individual, GREG INGRAHAM, an individual, JAMES WILSEY, an individual, and DANIEL O'BRIEN, an individual (collectively, "Plaintiffs"), on the one hand, and Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and stipulate as follows:  WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and  WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	1 2	TUNECORE, INC., a Delaware Corporation; ) and RHAPSODY INTERNATIONAL, INC., a )		
Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiffs PENELOPE HOUSTON, an individual, GREG INGRAHAM, an individual, JAMES WILSEY, an individual, and DANIEL O'BRIEN, an individual (collectively, "Plaintiffs"), on the one hand, and Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and stipulate as follows:  WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement; NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:		Delaware Corporation,		
Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiffs PENELOPE HOUSTON, an individual, GREG INGRAHAM, an individual, JAMES WILSEY, an individual, and DANIEL O'BRIEN, an individual (collectively, "Plaintiffs"), on the one hand, and Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and stipulate as follows:  WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and  WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:		Defendants.		
Local Rules of the United States District Court, Northern District of California, Plaintiffs PENELOPE HOUSTON, an individual, GREG INGRAHAM, an individual, JAMES WILSEY, an individual, and DANIEL O'BRIEN, an individual (collectively, "Plaintiffs"), on the one hand, and Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and stipulate as follows:  WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement; NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:				
PENELOPE HOUSTON, an individual, GREG INGRAHAM, an individual, JAMES WILSEY, an individual, and DANIEL O'BRIEN, an individual (collectively, "Plaintiffs"), on the one hand, and Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and stipulate as follows:  WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and  WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:				
individual, and DANIEL O'BRIEN, an individual (collectively, "Plaintiffs"), on the one hand, and Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and stipulate as follows:  WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and  WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and  WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:				
Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and stipulate as follows:  WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and  WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and  WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court. Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:		PENELOPE HOUSTON, an individual, GREG INGRAHAM, an individual, JAMES WILSEY, an		
stipulate as follows:  WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and  WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and  WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:		individual, and DANIEL O'BRIEN, an individual (collectively, "Plaintiffs"), on the one hand, and		
WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement; NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	9	Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and		
WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by February 7, 2011; and WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement; NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	10	stipulate as follows:		
February 7, 2011; and  WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court,  Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	11	WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and		
WHEREAS, the parties are actively engaged in settlement discussions in an attempt to resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court,  Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	12	WHEREAS, Defendant Ferguson's response to the Second Amended Complaint is due by		
resolve their dispute; and  WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	13	February 7, 2011; and		
WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement; NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	14	WHEREAS, the parties are actively engaged in settlement discussions in an attempt to		
Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	15	resolve their dispute; and		
otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	16	WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court,		
change will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	17	Northern District of California, permits the parties to extend the time within which to answer or		
WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	18	otherwise respond to a complaint by stipulation in writing and without a Court order, provided the		
a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	19	change will not alter the date of any event or any deadline already fixed by Court order; and		
deadline already fixed by Court order; and  WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a  responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	20	WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file		
WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	21	a responsive pleading to the Second Amended Complaint will not alter the date of any event or any		
responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	22	deadline already fixed by Court order; and		
settlement;  NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	23	WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a		
NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:	24	responsive pleading should be extended to February 17, 2011, to allow the parties time to discuss		
undersigned counsel, hereby stipulate as follows:	25	settlement;		
	26	NOW THEREFORE, Plaintiffs and Defendant, by and through their respective		
28 //	27	undersigned counsel, hereby stipulate as follows:		
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1. The time for Defendant David Ferguson to file a responsive pleading to the Second				
Amended Complaint shall be extended to and including February 17, 2011;				
SO STIPULATED.				
Dated: February 2, 2011		LAW OFFICE OF ALAN KORN		
	By:	/Alan Korn/		
	J	Alan Korn Attorneys for Plaintiffs		
		PENELOPE HOUSTON, GREG INGRAHAM, JAMES WILSEY and DANIEL O'BRIEN		
		IDELL & SEITEL LLP		
Dated: February 2, 2011	By:	/Richard J. Idell/		
		Richard J. Idell Ory Sandel		
		Attorneys for Defendant DAVID FERGUSON		
ATTESTATION OF CONCURRENCE				
I, Richard J. Idell, as the ECF user and filer of this document, attest that, pursuant to				
General Order No. 45(X)(B), concurrence in the filing of this document has been obtained from				
Alan Korn, the above signatory.				
Dated: February 2, 2011	By:	/Richard J. Idell/ Richard J. Idell		
	[ <del>PRO</del>	<del>POSED</del> ] ORDER		
PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:				
1. Defendant David Ferguson shall file a responsive pleading to the Second Amended				
Complaint no later than February 17, 2011.				
IT IS SO ORDERED.				
D ( 1 E 1 2 2011		( When Roots		
Dated: February 3, 2011		Hon Jeffjer S. White		
		Judge of the United States District Court Northern District of California		
		1.ordin District of Cumorina		
	Amended Complaint shall be extended SO STIPULATED.  Dated: February 2, 2011  ATT  I, Richard J. Idell, as the General Order No. 45(X)(B), condaint No. 45(X)(B), condaint September 2, 2011  PURSUANT TO STIPULATED.  PURSUANT TO STIPULATED.  Defendant David September 2, 2011	Amended Complaint shall be extended to a SO STIPULATED.  Dated: February 2, 2011  By:  ATTESTATION I, Richard J. Idell, as the ECF us General Order No. 45(X)(B), concurrence Alan Korn, the above signatory.  Dated: February 2, 2011  By:  [PROPURSUANT TO STIPULATION, In It is so ordered.]		